

REMARKS/ARGUMENTS

In the above referenced Office Action, the Examiner rejected claims 1-73 under 35 USC § 102(e) as being anticipated by Billmaier (U.S. Patent No. 6,710,815). These rejections have been traversed and, as such, the applicant respectfully requests reconsideration of the allowability of claims 1-73.

The Examiner has pointed out that a Summary of the Invention section has not been included in the instant applications. MPEP § 608.01 governs the content of this section, if included in the application. Applicant respectfully submits that the Summary of the Invention, while the preferred format, is not a required portion of the Specification.

The multimedia system in accordance with the particular embodiment of the present invention presented in claim 1 includes a multimedia server and a client module. A stream of channel data and channel select commands are communicated between the multimedia server and the client module via a communication path, a transceiving module of the multimedia server, and a network interface controller of the client module.

The Examiner rejected claim 1 based on the set-top box presented in Fig. 5 of Billmaier. The Examiner reads the operation of the set-top box of Billmaier on both the multimedia server and client module of claim 1. However, Billmaier's set-top box does not meet the limitations of claim 1 for the following reasons.

Billmaier's set-top box does not communicate via a communication path and a network interface controller with the multimedia server (which the Examiner also reads on the same set-top box). In other words, Billmaier's set-top box does not communicate with itself via a communication path, network interface controller and transceiving module. Billmaier's set-top box does not disclose a multimedia server and client module that communicate a stream of channel data and channel select commands via a communication path as set forth in claim 1.

In addition, Billmaier's set-top box does not disclose a client module that produces select requests for at least one of a plurality of clients. Billmaier's set-top box communicates with only one client.

Further, Billmaier's communication link between the set-top box and the head end does not meet the limitations of the communications path of claim 1 because the communications link to the head end does not carry channel select commands. In addition, Billmaier's communication link between the set-top box and remote control device does not meet the limitations of the communications path of claim 1 because the communications link to the remote control does not carry a stream of channel data.

For each of these reasons, Applicant believes claim 1, along with each of the claims that depend therefrom, to be patentably distinct from the prior art.

The multimedia system in accordance with the particular embodiment of the present invention presented in claim 12 includes a plurality of client modules operably coupled to the multimedia server. Billmaier does not disclose a plurality of client modules coupled to a multimedia server. Billmaier's set-top box does not communicate with a plurality of client modules operable coupled to a corresponding one of a plurality of clients, wherein each of the corresponding ones of the plurality of clients displays at least a portion of the stream of channel data, as set forth in claim 12. Billmaier's set-top box communicates with only a single television or other display device. This is the only device in Billmaier's system capable of displaying a stream of channel data. For this reason, Applicant believes claim 12, along with each of the claims dependent therefrom, to be patentably distinct from the prior art.

Claim 20 has been amended to more distinctly claim and particularly point out a particular embodiment of the present invention. In particular, claim 20 has been amended to recite that the at least one client module is located remote from the multimedia server. As discussed in conjunction with claim 1, Billmaier's set-top box does not disclose a multimedia server and remote client module, as set forth in claim 20. For this reason, Applicant believes claim 20, along with each of the claims dependent therefrom, to be patentably distinct from the prior art.

Claims 38 and 56 have been amended to more distinctly claim and particularly point out particular embodiments of the present invention. In particular, each claim has been

amended to recite that the communication path to the client module is part of the local area network. Billmaier does not teach such a local area network connection to the client module. Billmaier does not disclose or teach a local area network of any kind. For this reason, Applicant believes claims 38 and 56, along with each of the claims dependent therefrom, to be patentably distinct from the prior art.

For the foregoing reasons, the applicant believes that claims 1-73 are in condition for allowance and respectfully request that they be passed to allowance.

The Examiner is invited to contact the undersigned by telephone or facsimile if the Examiner believes that such a communication would advance the prosecution of the present invention.

No additional fee is due. The Commissioner is authorized to charge any fees that are required or credit any overpayment to Deposit Account No.50-2126.

RESPECTFULLY SUBMITTED,

By: /Timothy W. Markison reg. 33,534/
Timothy W. Markison
Phone: (512) 342-0612
Fax No. (512) 342-1674

CERTIFICATE OF MAILING

37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Alexandria, Virginia 22313, on the date below:

Date

3-1-05

Signature

Alicia Hudson